

ANNE MILGRAM
ATTORNEY GENERAL OF NEW JERSEY
Division of Law
124 Halsey Street- 5th Floor
P.O. Box 45029
Newark, New Jersey 07101

FILED

DEC 07 2009

BOARD OF PHARMACY

By: ~~Megan Cordoma~~
Deputy Attorney General
Tel. No. (973) 648-3453

STATE BOARD OF NEW JERSEY
DEPARTMENT OF LAW & PUBLIC SAFETY
DIVISION OF CONSUMER AFFAIRS
STATE BOARD OF PHARMACY

IN THE MATTER OF THE	:	Administrative Action
APPLICATION OF	:	
	:	
MARIAN A. SAMAN	:	
33564	:	CONSENT ORDER
	:	
TO BE LICENSED AS A PHARMACIST	:	
IN THE STATE OF NEW JERSEY	:	

This matter was opened to the Board of Pharmacy (Board) upon submission of an application for a license to practice pharmacy by Marian A. Saman (Respondent) on or about March 10, 2009.

On her New Jersey Application for Licensure as a Pharmacist Respondent answered "no" to the following questions:

Question #8: "Have you ever been ... arrested ... or pled guilty to any violation of law, ordinance, felony, misdemeanor or disorderly persons offense, in New Jersey, any other state, ... or in any other jurisdiction?"

Question #16: "Are there any criminal charges now pending against you in New Jersey, any other state, ... or in any other jurisdiction...?"

On her "Certification and Authorization Form for a Criminal History Background Check", Respondent answered "no" to question #6: "Have

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you ever been arrested and/or convicted of a crime or offense?"

The results of Respondent's criminal history background check (CHRBC) revealed that on or about June 15, 2006, Respondent was arrested under an alias by the New York City Police Department (NYCPD) for one count Criminal Possession of Stolen Property (equivalent to N.J.S.A. 2C:20-7) and one count Grand Larceny 4th degree (equivalent to N.J.S.A. 2C:20-3). The CHRBC also revealed that on or about October 18, 2006, the Richmond County Criminal Court, New York, issued a Bench Warrant against Respondent for Failure to Appear. As of March 31, 2009, this warrant remained active.

Respondent denied having been arrested and requested that the Board allow her to withdraw her application for Pharmacy licensure and resubmit her application at a later time.

Respondent consenting and agreeing to the terms of this Consent Order and the Board finding the within disposition is adequately protective of the public health, safety and welfare,

ACCORDINGLY, IT IS ON THIS 27th day of NOVEMBER, 2009, ORDERED that:

1. Respondent's request to withdraw her application for a license to practice as a pharmacist in New Jersey is hereby granted.

2. Prior to the Board considering any future application for a license to practice as a pharmacist in New Jersey, Respondent shall:

a. provide documentation of successful completion of all application requirements including a Criminal History Background Check and payment of all application fees;

b. provide documentation showing that she has fully resolved the criminal arrest and outstanding bench warrant issues, including but not limited to, completion of any probation, payment of penalties and fines, and any other conditions which may result from the criminal actions;

c. appear before the Board to discuss her readiness to enter the practice of Pharmacy and to discuss her actions with regard to the facts outlined above;

3. The Board reserves the right, upon Respondent's future application for a license to practice pharmacy, to initiate disciplinary action based upon Respondent's conduct relating to her application for licensure dated March 10, 2009.

NEW JERSEY STATE BOARD OF PHARMACY

By: Edward G. McGinley
Edward G. McGinley, CR, Ph.
President

I have read and understood
the above Order and agree to
be bound by its terms. I hereby
consent to the entry of this Order:

Marion Saman
Marion Saman

Consent as to form and entry:

Yasser Helal
Yasser Helal, Esq.
Attorney for Marion Saman